In the Claims:

Please cancel claims 1-8, 15 and 16 without prejudice to their further prosecution, and add new claims 26 and 27 in the following manner.

1. (Canceled).

2. (Canceled).

3. (Canceled).

4. (Canceled).

5. (Canceled).

6. (Canceled).

7. (Canceled).

8. (Canceled).

9. (Original) A vector comprising a gene coding for a marker protein which is operably linked to one or more strong promoters, such as the hEF-α promoter, the MoLV-LTR promoter or a combination of the CMV and the MoLV-LTR promoter.

10. (Original) The vector according to claim 9 wherein the gene codes for the GFP or a fluorescent mutant thereof.

11. (Original) The vector according to claim 10 wherein the gene codes for the marker protein GFPmut1.

12. (Currently Amended) The vector according to ~~anyone of claims 9 to 11~~ claim 11 which is pBluescriptIIKS(+)+EF-1α+EGFP or pEGFP-N1-MoLV-LTR.

13. (Currently Amended) A live cell transfected with a vector according to ~~anyone of claims 9-10-12~~ claim 12.

14. (Original) A living cell line transfected with a vector according to claim 12 whish is A20GFP, PB3cGFP JurkatGFP, or DMGFP.

15. (Canceled).

16. (Canceled).

17. (Currently Amended) The method according to claim ~~15 or 16,~~ 22 wherein the test compound comprises a multiplicity of compounds[, e.g., as obtained from combinatorical chemistry methods].

18. (Currently Amended) The method according to ~~anyone of claims 15 to 17,~~ claim 26 wherein the test cells are normal cells, infected cells or cancer cells.

19. (Currently Amended) The method according to ~~anyone of claims 15 to 18,~~ claim 26 wherein the test cells are transfected with a vector comprising a gene coding for a marker protein which is operably linked to one or more strong promoters, such as the hEF-α promoter, the MoLV-LTR promoter or a combination of the CMV and the MoLV-LTR promoter.

20. (Original) The method according to claim 19, wherein the test cells are transfected wit the vector pBluescriptIIKS(+)+EF-1α+EGFP or pEGFP-N1+MoLV-LTR.

21. (Currently Amended) The method according to claim 19 ~~or 20~~, wherein the test cells are cells from the transfected cell lines A20GFP, PB3cGFP, JurkatGFP, or DMGFP.

22. (Currently Amended) The method according to ~~anyone of claims 15 to 21,~~ claim 27 wherein ~~monitoring~~ directly measuring the fluorescent signal intensity from the treated test cells is performed with the aid of a flow cytometer[, e.g., the FACScan™].

23. (Currently Amended) The method according to ~~anyone of claims 15 to 21,~~ claim 27 wherein ~~monitoring~~ directly measuring the fluorescent signal intensity from the treated test cells is carried out by measuring the parameters FSC-Height, SSC-Height and the fluorescence of the marker protein and comparing the results after dot plot and/or histogram visualization.

24. (Currently Amended) The method of ~~anyone of claims 1 to 8 and 15 to 23~~ claim 27 which is a drug screening method, a high throughput screening method and/or a large scale screening method.

25. (Currently Amended) Use of the methods of ~~anyone of claims 1 to 8 and 15 to 23~~ claim 27 for drug screening, high throughput screening and/or large scale screening.

26. (New) The method according to claim 27 wherein the multiplicity of compounds are obtained from combinatorial chemistry methods.

27. (New) A method to assay the non-, pro- or anti-apoptotic or necrotic activity of a test compound or of a physical stimulus in living test cells comprising:

(a) treating living cells, which comprise a fluorescent marker protein having a signal that changes in response to the live and apoptotic and/or necrotic state of the cells, with said test compound or physical stimulus;

(b) directly measuring the fluorescent signal intensity from the treated test cells;

(c) correlating the signal intensity with (i) the fluorescent signal intensity from test cells not comprising the fluorescent marker protein and (ii) the fluorescent signal intensity from test cells comprising the fluorescent marker protein but not treated with said test compound or physical stimulus;

(d) determining the non-, pro- or anti-apoptitic or necrotic activity of said test compound or physical stimulus by determining and distinguishing that (i) necrosis is occurring in test cells having a signal intensity in the same range as the test cells not comprising the fluorescent marker protein and (ii) apoptosis is occurring in test cells having a signal intensity lower than in the test cells comprising the fluorescent marker protein but not treated with said test compound or physical stimulus, and higher than in the test cells not comprising the fluorescent marker protein.